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STATE
OF
MONTANA
DIVISION OF FORENSIC SCIENCE
DEPARTMENT OF JUSTICE
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SHELVED WITH
PERIODICALS

DECEMBER 1983

DEATH INVESTIGATION COURSES

DECEMBER 5-9 BOZEMAN, MONTANA

Dr. William J. Brady, the Oregon State Medical Examiner, will present courses on fire deaths, death certification and photography. Drs. Pfaff, Mueller and yours truly are in the supporting cast.

JANUARY 9-13, 1984 ST. LOUIS, MISSOURI

MAY 14-18, 1984 ST. LOUIS, MISSOURI

OCTOBER 8-12, 1984 ST. LOUIS, MISSOURI

Dr. George Gantner, St. Louis Chief Medical Examiner, has designed this excellent $200.00 course. It has been well recommended by several Montana coroners.

NATIONAL MEDICAL EXAMINERS ASSOCIATION

Skeletal identification, elderly abuse, and non-violent child abuse were among many subjects detailed to nearly seventy medical examiners at our annual scientific session last month.

The entire staff wishes you a Merry Christmas
and a Happy New Year

PLEASE RETURN

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ON CALL SCHEDULE - MONTANA STATE MEDICAL EXAMINER

DECEMBER 1983

275 W. Front Street
Missoula, Montana 59802

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
				1	2	3 Ron Rivers
4 Ron Rivers	5	6	7	8	9	10 Ron Rivers
11 Ron Rivers	12	13	14	15	16	17 John Pfaff
18 John Pfaff	19	20	21	22	23	24 Ron Rivers
25 Ron Rivers	26	27	28	29	30	31 John Pfaff

Telephone Numbers: State Office - 728-4970
WATS Line - 243-5796

Home Phone: Dr. Ron Rivers- 728-2033 (Home)
(week nights call unless otherwise indicated)

Dr. John Pfaff - Great Falls
Hospital - 727-3333
Home - 727-3905

Dr. Ken Mueller- Billings
Hospital - 657-7000
Home - 248-3024

DECEMBER 1983
FORENSIC MISTAKES
R.L. Rivers, M.D.

While the county attorney, sheriff/coroner, and pathologist were having lunch one day the attorney said, "You know, we have come a long way in the past ten years. We have a crime lab, law enforcement academy, and even a medical examiner. But don't you think things are more complicated now, Doc? The bodies can't be embalmed, you have to do a head, neck, chest and abdomen on every coroner case and request a signed investigative report before doing the post."

"You bet," the doctor answered. "It's a pain in the neck but it's for our own good, especially mine!"

"The Doc's right", the coroner said. "I've learned to take more photographs with more care, collect more toxicological specimens, label each sample properly and to autopsy more questionable cases."

"Well," stated the attorney, "I have certainly realized the value of the medico-legal autopsy. I've also noticed a smoother ride on Doc's testimony since starting those pre-trial conferences."

"Counselor, I wholeheartedly appreciated your efforts to schedule my testimony. It sure saved me a lot of wasted time!", exclaimed Doc.

Just then the chief medical examiner walked in. "We were just discussing medical-legal stuff.", the coroner beamed. "We were talking about all the improvements. What single thing would you like to improve?"

"I would like to see more consultations with the forensic pathologist before disposition of the body. All of you, myself, and every other citizen in this State are paying to have a forensic expert on 24 hour call. Those who do not utilize this expertise are negligent in their duty to their county. Many will not ask for advice through embarrassment. Yet, all the pathologists in Montana regularly consult with each other and with out-of-state pathologists. In the past I have asked other forensic pathologists to help me perform an autopsy, and I'll do so in the future. Many will not ask for advice because they think they already know it all. God help them because Drs. Pfaff, Mueller and I cannot autopsy cremated remains, perform toxicology on embalmed bodies, or determine time of death on exhumations.

QUESTIONS:

1) Why does the medical examiner examine the head of a victim shot in the chest or abdomen?

2) Why request a signed investigative report before autopsy?

3) What advantage is a pre-trial conference?

ANSWERS:

1. A brain tumor, injury or infection may explain bizarre behavior before being shot. But a negative head examination will cut short any homicide defense of this sort. Suppose it's self-inflicted. A brain tumor may explain the depression to the family. A prior work injury to the head may have caused the depression. Brain tumors can be misdiagnosed.. The family may be entitled to compensation for the above.

2. Often the cause of death relies heavily on the investigative report (i.e. drowning, sudden infant death syndrome, mechanical compression of the chest). Correct interpretation of injuries, especially postmorten injuries, are greatly assisted by information surrounding the events. Personally, I feel a signed report gives greater weight to its accuracy and less chance of a confrontation in the future over stated details.

3. Every attorney has heard the adage, "Never ask your witness a question unless you know the answer". A pre-trial conference allows the expert witness to define his answers to the attorney. It also allows the witness to review the material in question. Best of all, everybody understands each other and valuable courtroom time is saved from prolonged fishing expeditions.